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PATENT ATTORNEY DOCKET NO.: 051638-5001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents **BOX PATENT APPLICATION** Washington, D.C. 20231

PRIOR APPLICATION Examiner: Unassigned Group Art Unit: 2768

CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

	This is a request for thing a patent application under 57 C.1 .R. § 1.33(0).			
1.	patent	pplication is a [] Continuation [] Divisional [X] Continuation-in-Part application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/497,483, n February 4, 2000, of:		
	Invent	or(s): Scott A. SNYDER		
	For:	SYSTEM AND METHOD FOR ASSISTING CUSTOMERS IN CHOOSING AMONG A SET OF COMMODITIES USING CUSTOMER PREFERENCES		
2.	The pa	apers enclosed are as follows:		
	54 1 13 1 11	Page(s) of specification including Title Page Page(s) of claims Page of abstract Sheet(s) of drawings containing 11 Figures Other:		
3.	Amen	Amendments		
	For co []	Cancel in this application original claims in the enclosed copy of prior application before calculating the filing fee. [At least one original claim must be retained for filing purposes.]		

A preliminary amendment is enclosed. (Claims added by this amendment have

the highest numbered original claim in the prior application.)

been properly numbered consecutively beginning with the number next following

5.

4. Oath or Declaration

For continuation or divisional applications:				
[]	A newly executed (original or copy) oath or declaration is enclosed.			
[]	A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.			
[]	A signed statement deleting inventor(s) named in the prior application is enclosed.			
For continuation-in-part applications:				
[X]	A newly executed (original or copy) oath or declaration is enclosed.			
[]	An oath or declaration is not enclosed. This application is being filed under 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the declaration and paying the filing fees.			
Relate	e Back - 35 U.S.C. § 120			
[X]	Amend the specification by inserting before the first line the sentence:			
	"This is a [] continuation [] divisional [X] continuation-in-part of copending application(s)			
	[X] Application No. <u>09/497,483</u> on <u>February 4, 2000</u> ." [] International Application No filed on and which designated the U.S."			

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6.	interr	Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.					
	[]	[] Priority of the following foreign application(s) is/are claimed:					
		Country	Application No.	Filed			
		Certified copy(ies): [] is/are attached. [] will follow. [] was/were filed in prior U.S. Application No on					
7.	Assig	Assignment					
	For c	For continuation or divisional applications:					
	[]	The prior application is assigned of record to, recorded at Reel/Frame					
	[]	An assignment of the invention to are PTO Form-1595, Recordation Form Cover Sheet, are enclosed.					
	For c	For continuation-in-part applications:					
	[X]	_	f the invention to <u>OmniChoice.co</u> n Cover Sheet, are enclosed.	om, Inc. and a PTO Form-1595,			

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8. Fee Calculation (37 C.F.R. § 1.16)

	CLAIN	MS FOR FEE CALC	ULATION	
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$690.00 Design \$310.00
Total Claims (37 C.F.R. § 1.16(c))	53 - 20 =	33	\$ 18.00 each =	+ \$594.00
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1	\$ 78.00 each =	+ \$78.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d)) \$260.00				+ \$
SUB-TOTAL =				\$1,362.00
Reduction by 1/2 for filing by a small entity				- \$681.00
TOTAL FILING FEE =				\$681.00

9. Fee Payment

- [X] The Commissioner is hereby authorized to charge the filing fee or credit any overpayment to deposit account no. 50-0310.
- [] Enclosed.

A check(s) in the amount of \$_____ to cover the _____ is enclosed.

[] The fee for extra claims under 37 C.F.R. § 1.16(d) is not being paid at this time and no authorization is given to charge our deposit account for this fee.

14.

[X]

10.	0. Small Entity Status is claimed and		
	[X]	a statement claiming small entity status is enclosed, or	
	[]	a small entity statement was filed in the prior nonprovisional application and is still proper and desired.	
11.	[X]	The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number.	
		Please address all correspondence to Morgan, Lewis & Bockius LLP at Customer Number: 009629	
12.	[]	Recognize as associate attorney (name, address, and registration no.)	
13.	[X]	PETITION FOR EXTENSION OF TIME . If any extension of time is necessary for the filing of this application, including any extension in the prior application, application no. 09/497,483, filed February 4, 2000, for the purpose of maintaining copendency between the prior application and the present application and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 50-0310.	

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is

hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be

an CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in

1-WA/1289655.1 (12/98)

accordance with 37 C.F.R. § 1.136(a)(3).

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15.	5. Additional papers enclosed:		
 [] Information Disclosure Statement [] Form PTO-1449, references included [] Declaration of Biological Deposit [] Submission of "Sequence Listing", computer readable copy and/or ame pertaining thereto for biotechnology invention containing nucleotide an acid sequence. 			eferences included posit sting", computer readable copy and/or amendment
			Respectfully submitted,
			MORGAN, LEWIS & BOCKIUS LLP
		Ву:	Lesley L. Coulson Reg. No. P-46,642
Dated:	May 3	30, 2000	
MORO 1800 N	GAN, L A Stree	09629 EWIS & BOCKIUS LLP t, N.W. D.C. 20036-5869	

202-467-7000